

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JIMMY ALDAOUD,
A023659820,

Petitioner,

v.

DEPARTMENT OF HOMELAND
SECURITY,

Respondent.

Hon. Paul L. Maloney

Case No. 1:18-cv-1298

DEFICIENCY ORDER FOR A
HABEAS CORPUS ACTION

This is a habeas corpus action filed by petitioner pursuant to 28 U.S.C. § 2241. The filing fee for this action is \$5.00. Petitioner has failed to pay the filing fee or to apply in the manner required by law to proceed *in forma pauperis* by filing the required affidavit of indigence and certificate of the warden or other appropriate officer as to the amount of money or securities on deposit in any account in the institution where petitioner is incarcerated, and is notified of the following deficiencies.

Petitioner must either pay the \$5.00 fee or apply to proceed *in forma pauperis* without prepayment of fees. To apply to proceed *in forma pauperis*, petitioner must file an affidavit of indigence and a certificate of the warden or other appropriate officer as to the amount of money or securities on deposit in any account in the institution where petitioner is incarcerated. Rule 3, Rules Governing § 2254 cases. The affidavit must include a statement of all assets petitioner possesses, a statement

that petitioner is unable to pay the fee or give security therefor, and a statement of the nature of the action. Rule 3; 28 U.S.C. § 1915(a)(1). The affidavit must be in substantial compliance with Form 4 of the Federal Rules of Appellate Procedure. *See McGore v. Wrigglesworth*, 114 F.3d 601, 604, 610 (6th Cir. 1997). The certificate must disclose the amount in petitioner's prison account and the total deposits placed in petitioner's account for the previous six months. W.D. Mich. LCivR 3.4(a).

Petitioner is informed that within 28 days from the date of this notice, he must submit the \$5.00 filing fee or, alternatively, file the affidavit of indigence and certificate of the warden or other appropriate officer as to the amount of money or securities on deposit in any account in the institution where petitioner is incarcerated. Petitioner also is notified that if petitioner fails to pay the filing fee or to file the affidavit of indigence and certificate, the Court will presume that he is not proceeding *in forma pauperis*. In that case, the Court will order that the case be dismissed for want of prosecution.

Date: November 26, 2018

/s/ Phillip J. Green
PHILLIP J. GREEN
U.S. Magistrate Judge

FILING FEES SHALL BE REMITTED TO:

Clerk, U.S. District Court
399 Federal Bldg.
110 Michigan St., N.W.
Grand Rapids, MI 49503

All checks or other forms of payment shall be payable to "Clerk, U.S. District Court."